

ORDINANCE NO. 2003- 006

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REPEALING CHAPTER 26, ARTICLE III, DIVISION 3 ("BOCA WEST FIRE-RESCUE MSBU") OF THE PALM BEACH COUNTY CODE (CODIFYING ORDINANCE 99-38); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Chapter 26, Article III, Division 3 ("Boca West Fire-Rescue MSBU") of the Palm Beach County Code (codifying Ordinance 99-38) established a municipal service benefit unit to levy a special assessment to fund the cost of additional fire-rescue services, including emergency medical services, within a specified area of unincorporated Palm Beach County; and

WHEREAS, prior to the implementation of said code provisions and prior to the levy of said special assessment, the Fourth District Court of Appeal and ultimately the Florida Supreme Court disapproved the use of special assessments to fund emergency medical services; and

WHEREAS, the Board of County Commissioners desires to repeal said code provisions.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1. Chapter 26, Article III, Division 3 ("Boca West Fire-Rescue MSBU") of the Palm Beach County Code (codifying Ordinance 99-38), is hereby repealed in its entirety.

SECTION 2. REPEAL OF LAWS IN CONFLICT:

All local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 3. SEVERABILITY:

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

SECTION 4. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or

1 other appropriate word.

2 **SECTION 5. EFFECTIVE DATE:**

3 The provisions of this Ordinance shall become effective upon filing with the Department of
4 State.

5 APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County.
6 Florida, on this the 25 day of February, 2003.

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8 PALM BEACH COUNTY, FLORIDA, BY ITS
9 BOARD OF COUNTY COMMISSIONERS

10 By: 

11 Karen Marcus, Chair

12 APPROVED AS TO FORM AND
13 LEGAL SUFFICIENCY

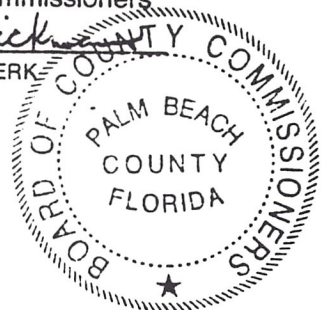
14 By: 

15 County Attorney

DOROTHY H. WILKEN, CLERK
Board of County Commissioners

By: 

DEPUTY CLERK



16 EFFECTIVE DATE: Filed with the Department of State on the 7 day of March, 2003.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on February 25, 2003.

2 DATED at West Palm Beach, FL on 3/21/03.

DOROTHY H. WILKEN, Clerk

By: 

D.C.